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July 25, 2022

The Honorable Sarah Netburn,  
U.S. Magistrate Judge  
United States District Court for the S.D.N.Y.  
Thurgood Marshall U.S. Courthouse, Room 430  
40 Foley Square  
New York, NY 10007

Re: *In Re: Terrorist Attacks on September 11, 2001, 03 MDL 1570 (GBD) (SN)*  
*Ashton et al. v. Al Qaeda Islamic Army, 02-cv-6977 (GBD)(SN)*

Dear Judge Netburn,

The *Ashton* Plaintiffs received the Court's Order today ECF No. 8255 regarding John F. Jermyn and had intended to include the substitution of John Jermyn, Jr. last Friday July 22, when we submitted the list of 19 other wrongful death plaintiff substitutions, but inadvertently left him off that list (ECF No. 8246) that was granted at ECF No. 8251. Given the different fact and legal issues involved in "day of" injury cases and the upcoming deadlines relating to judgment applications, we focused on providing the Court with information and medical treatment for the two individual personal injury plaintiffs who were part of that motion. In doing so, however, we inadvertently left Mr. Jermyn off the motion to substitute last week that involved 9/11 death cases.

While the Plaintiffs' Personal Representatives who were substituted last week represent estates of those who were killed on 9/11, John Jermyn, Jr. is now the Personal Representative of his father's estate in connection with his father's personal injury claims. We apologize for the inconvenience to the Court in having to seek this information and respectfully request that this additional substitution be granted by the Court.

Respectfully,

/s/ Andrew J. Maloney, III  
Andrew J. Maloney, III, Esq.  
*PLAINTIFFS' EXECUTIVE COMMITTEES*

cc: Hon. George B. Daniels, U.S.D.J. – Via ECF  
All counsel via ECF